

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

LARRY BEMBOOM,

Plaintiff (s),

vs.

DAVID CUTT, et al.,

Defendant (s).

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Case No. 2:08CV0067 JCH

ORDER

This matter is before the Court on Plaintiff's Motion for Appointment of Counsel and for Request for Extension Case On [sic] Management Order, filed on or around May 14, 2009 (Doc. No. 19).

With respect to Plaintiff's Motion for Appointment of Counsel, there is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief, whether the plaintiff will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the plaintiff's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering Plaintiff's Motion for Appointment of Counsel in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Larry

Bemboom indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Plaintiff's Motion for Appointment of Counsel will therefore be denied.

In addition, Plaintiff's Request for Extension on Case Management Order (Doc. No. 19-2) is granted. Plaintiff shall have until June 15, 2009 to provide his initial disclosures to Defendants in accordance with paragraph 3 of this Court's April 15, 2009 Case Management Order (Doc. No. 17).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel (Doc. No. 19) is **DENIED**.

IT IS HEREBY FURTHER ORDERED that Plaintiff's Request for Extension on Case Management Order (Doc. No. 19-2) is **GRANTED**, and Plaintiff has until June 15, 2009 to provide his initial disclosures to Defendants.

Dated this 14th day of May, 2009.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE